

DE BOLT'S BRIEF IN MARSHALL CASE.

Argument Set Forth by Defendant's Attorney.

W. O. SMITH OF JUDD ESTATE.

VACILLATING OPINIONS AND THE LAW ARE CLEARLY DEFINED.

Contention That the Government Has Lost Both Legs on Which to Base Its Action.

In the case of the Territory of Hawaii vs. William H. Marshall, Attorney J. T. De Bolt, for the defendant, has submitted a brief filed by W. O. Smith, who represents the Judd estate, and E. P. Dole, Attorney-General, who represents the Government.

De Bolt's brief presents a strong argument. It is as follows:

"In reply to the brief filed herein on behalf of the Government, it is submitted that counsel for the Judd estate and Government are not consistent or logical in their contentions, for, while they have the plain language of the statute before them they argue with it or against it as seems to best subserve their purposes. Counsel for the defendant bases his contentions upon the statute and its glaring deficiencies and upon the broad principle of common sense, reason and justice as applied in the construction of penal statutes involving their validity and constitutionality.

"In the Government's brief, counsel make the following remarkable statement seemingly in utter disregard of the plain language of the statute (Sec. 304): 'We claim that there is no attempt made on the part of the Legislature to make and, with the power in the jury, define two crimes; that there is merely a statement of one crime with a discretion left to the jury (Sec. 305-6) as to the infliction of the two penalties.' A casual glance at the statute will at once show that this statement is totally without foundation and at variance with the statute.

"Again, counsel says: 'As a matter of fact, neither the Legislature (Sec. 304) nor the jury could, if they would, divide libel into two distinct offenses; it is not a subject which could be intelligently solved into two distinct classes with the lines properly drawn. In reply to this statement, it is submitted, that as to the power of the Legislature, the statute (Sec. 304) flatly contradicts counsel for the Government, for it has such power, and the best evidence of this is the fact that the Legislature (Sec. 304) has divided libel into two degrees, and, while it also had the power to define the degrees, it did not do so, but attempted to delegate this legislative power to the jury, thus leaving the statute incomplete, inoperative and void, as well as unconstitutional. With that portion of the above statement that the jury could not divide libel into two distinct offenses, there can be no contention for such power is wholly legislative and not judicial, and to that extent counsel is right.

"Again, counsel says: 'The impossibility to divide the offense into classes or degrees (Sec. 304) is a strong argument in favor of the constitution of the Government. If a crime is not divisible into degrees (Sec. 304) how can the accused maintain that he has not been confronted with the particular crime he is alleged to have committed? The absurdity and inconsistency of this statement and interrogatory obviate the necessity of any argument thereon, which observation is equally applicable to the remaining portion of said contention.

"Counsel make the following admission, which practically admits the soundness of the contention on behalf of defendant: 'Counsel contends that the act of the Legislature in delegating this discretion to the jury is unconstitutional, null and void, as it is solely within the province of the Legislature, and beyond its power to delegate that right to the judge or the jury, whose province it is to interpret and follow the law as promulgated by the body. The Legislature has declared the law in this case and, supported by numerous authorities (7), we contend that it was done by an act constitutional, valid and binding.' As to the 'numerous authorities' mentioned by counsel, it is submitted that not a single case cited in their brief support their contention. Indeed, counsel for defendant feels justified in venturing the assertion that it is utterly impossible to find a single authority in the books in support of the Government's contention.

"We will now briefly examine the cases cited by counsel in support of the Government: The case of *Buster vs. The State*, 42 Tex. 315, is based upon a statute totally different from the statute in question, which expressly directs the jury to find the defendant 'guilty,' or not 'guilty,' and, in addition thereto, shall assess the punishment in all cases when the same is not absolutely fixed by law to some particular penalty. There is absolutely nothing in common in this statute with the statute under consideration. The case does not involve a single point at issue in the case at bar.

"The case of *Tooze vs. The State* is not reported in 70 Mo. at page 402, or in all that volume. The case of *Rice vs. The State*, does not support the contention of the Government. The case, *State vs. Hockett*, 70 Ia. 442, is cited and commented upon in defendant's opening brief filed herein. As to *Am. & Eng. Ency. of Law*, page 734, 1st Ed. and cases cited in Notes, also cited by counsel for the Government, it is submitted that the citations totally fail to support the point contended for, but

are entirely upon another point outside of the question before the Court. Indeed, we invite the careful attention thereto on behalf of defendant for the purpose of distinguishing between the two points. Again, the case of *People vs. Sanchez*, 24 Cal. 17, cited by the Government is not in point, except so far as it supports the contention of counsel for defendant. The case of the *People vs. Welch*, 49 Cal. 174, simply involves the power of the jury to fix the penalty within prescribed limits, and, as has been repeatedly stated on behalf of defendant herein, that question is not before the court and can never come before it under our present Penal Laws, as we have no such statute.

"The case of *People vs. Nichol*, is not reported in 54 Cal. page 211 or at all in that volume, for which I am sorry, as doubtless like the other case cited by counsel for the Government, it is in support of defendant's contention.

"Unfortunately alike to both the Government and the defendant the citation, 'Wharton's Criminal Law, Sec. 333,' does not support either contention; it is entirely upon another question. Now, that we have gone through with the cases cited on behalf of the Government, I cannot help but feel to some extent obligated to counsel for the cases which they have cited in support of defendant (not cited intentionally, however), and at the same time I also have a vague feeling that by omitting these authorities heretofore, to that extent I was remiss in my duty to my client.

"In conclusion, counsel respectfully submits that, in each and every criminal action, not only is the accused put upon trial, but also the more vital question, namely, those universal principles which are essentially the foundation of civilization and the State, i.e., the protection to life, liberty and property. The law is no respecter of persons. Courts know no persons who appear before them."

Sugar Contracts.

At meetings of the stockholders of Ewa and Waiwala plantations held yesterday it was decided to sell the entire crop of the two companies under the same terms as those of the sugar contracts expiring in October. The new contract will run for three years beginning from the first grinding of next year.

HANRAHAN AGAIN TO THE FORE.

HIS OFFENSIVE CONDUCT TOWARDS TWO YOUNG WOMEN.

Apparently Trying to Make Himself Especially Obnoxious to the People.

Officer Hanrahan of the Police Department, terror of small boys and worrier of hack drivers, has added another accomplishment to the many that endear him to the head of the department. It is charged that he has insulted ladies.

Yesterday afternoon Misses Kate Cornwell and Belle Vida drove up in front of Hollister & Co.'s drug store. One of them got out to make a purchase, leaving her companion in the carriage, which was driven by Wells, a licensed hack driver.

Hanrahan, who was standing near the east side of the store, shouted to Wells to put his badge on, so it could be seen; at the same time vouchsafing the information that if it was not done immediately things would become very warm for the driver.

Clarence Macfarlane was at work in front of the store on a ladder. He was installing a Washington light, and was in his working clothes.

When Hanrahan got through shouting at the driver, Mr. Macfarlane turned to the occupant of the carriage, to whom he had been talking, and said: "That's expiation."

Hanrahan stepped up to Mr. Macfarlane and wanted to know what he meant by his remark. Macfarlane told him that as he had not addressed his remark to Hanrahan, it was none of his business. Hanrahan swelled up like a toy balloon and told Mr. Macfarlane he needn't try any bluffs on him. Mr. Macfarlane then came down the ladder and told the "King of Honolulu" that if he wanted anything now was the time to say so. The officer was guessing a little, but said he didn't want anything.

Just then, as Miss Vida came out of the store and stepped into the hack, Hanrahan remarked to the young woman that he would give them annexation.

The story, as above reported, was narrated to a Republican reporter by Mr. Clarence Macfarlane and Mr. C. E. Conley of Hollister & Co., who heard Hanrahan's last remark.

Mr. Macfarlane said that had he heard Hanrahan first address himself to the ladies he would have given him what he deserved.

The matter was reported to High Sheriff Brown by the young ladies, who were properly indignant.

Sheriff Brown stated last evening that a complaint had been made to him regarding the matter. He had spoken to Hanrahan about it, and the officer denied the charges made. A further investigation will be instituted to-day.

Consul Buys Guns.

Yang Wai, the Chinese Consul, has turned the consulate into an arsenal. Yesterday he purchased an assortment of firearms to protect himself from the attacks of alleged murderers and thugs. A policeman has been sent to guard the consulate.

AN AFFIDAVIT FILED BY ATTORNEY DAVIS.

Asks That High Sheriff Be Cited to Appear.

EDWARDS' HABEAS CORPUS CASE.

THE PRISONER CRUSHING ROCK PENDING HABEAS CORPUS PROCEEDINGS.

Document Sets Forth That High Sheriff Absolutely Refused to Obey Order of Supreme Court.

Attorney George A. Davis yesterday submitted the following affidavit and petition in the case of George L. Edwards, a prisoner confined in jail under a writ of habeas corpus, pending bail on the final hearing of his case:

"That the above matter was argued and submitted to this honorable court on the 9th day of July, 1900, and the prisoner, George L. Edwards, is now in Oahu Penitentiary under the writ of habeas corpus and is awaiting the judgment of this court as to the legality of his imprisonment for the offense and crime for which he was convicted and sentenced.

"That on Tuesday, the 24th day of July, I saw the said George L. Edwards in a wagon with convicts, dressed in the garb of a convict, on his way to work under the control of a prison guard.

"That the writ of habeas corpus suspends the sentence of the Circuit Court and I believe and say that the action of the High Sheriff and the keeper of Oahu Penitentiary in treating the convict, whose sentence is suspended by law, is unlawful and a contempt of this honorable court.

"That I have reason to believe, and do believe, that the said George L. Edwards is now clothed in prison garb and treated as if he was undergoing the imprisonment under sentence, which has been and is suspended.

"That I am the counsel for the prisoner, as well as my professional partner.

"This affidavit asks and prays that Arthur M. Brown, High Sheriff of this Territory, and William Henry, keeper of the penitentiary, be duly cited by an order of the honorable Chief Justice and Justices of this court, sitting in banc, or the honorable Chief Justice thereof, why they, the said Arthur M. Brown, High Sheriff, and William Henry, keeper of penitentiary, should not be adjudged guilty of contempt of this court and that an order be issued, calling on the said High Sheriff and keeper of said penitentiary, to show cause why they should not be adjudged guilty of contempt of this court.

"That I warned the said High Sheriff that the sentence of the Circuit Court was suspended, and an order made by this court to admit the prisoner to bail, and that he, the said High Sheriff, would not treat the said prisoner as a convict undergoing sentence because the said sentence was suspended. But the said High Sheriff utterly refused to regard the order and process of this court, as he is required to do by law, and has ever since the said writ was issued clothed the said prisoner in prison garb, and the said prisoner has been treated like a convict undergoing sentence and compelled to work at hard labor with other convicts on the public streets of Honolulu."

In conversation with a Republican reporter yesterday afternoon Chief Justice Frear stated that he had not cited the High Sheriff for contempt.

It is understood by the Republican that Jailer Henry, who is solely at the dictation of Brown and who owes his position to him and holds it at his pleasure, has taken Edwards off from street work.

DRUNKENNESS IN BOSTON.

Peculiar Way in Which Massachusetts Treats Its Inebriates.

New York should not rejoice prematurely over the statistics of comparative crime which Magistrate Deuel, of that city, has collected, which show that "there were more arrests for drunkenness per thousand of population in Boston than in any city in the United States," and that "more persons out of every thousand were arrested for intoxication in Boston than were arrested in New York for all the crimes in the calendar."

The statistics are rather creditable to Boston for the reason that Massachusetts has a law making public drunkenness a punishable offense without regard to accompanying disorder or breach of peace. Few States have such a law, and nowhere outside of Boston is such a law strictly enforced. Public opinion in the Hub City demands a stringent enforcement of the law, no matter what unfair inferences

criminologists may draw from the resulting statistics.

With this exceptional law Massachusetts couples the system of probation for criminals, in which a person who violates the law is not punished for his first offense, but the punishment is suspended and the offender placed under the observation of a "probation officer" for a stated period and allowed to pursue his course unmolested so long as he does not fall back into his objectionable habits. This treatment is applied especially to cases of public drunkenness, and according to Herbert D. Ward, Commissioner of Prisons in Massachusetts, it has achieved good results.

"Probation," he says in the independent, "has passed beyond the experimental stage. Under its application, theoretically at least, no one should be sent to prison for the first offense. It means the closing of one-half the prisons in any State in which the system is well organized. It means the saving of thousands of lives to good citizenship and of hundreds of thousands of dollars to the treasury. Probation puts a man on his honor and binds out the nerve there is in him to rehabilitate himself to society."—St. Louis Republic.

THE ORPHEUM TO REOPEN.

Saturday Night Will See a New Coon Show on the Boards.

The Orpheum Theater will reopen its doors Saturday evening, July 23, with a high-class vaudeville show. Honolulu will remember the excellent impression made at the opera house about a year ago by the MacAdoo Minstrels, who gave a performance en route to the Colonies.

It has been the good fortune of the Orpheum management to obtain a portion of this talented company, who will remain over in Honolulu and give the initial performance next Saturday evening.

The performers are all first class, and, fortunately, this opportunity will be given them to again appear here in their clever work. The show will be augmented by local talent, and some very clever amateur performers will make their first appearance.

A BEER FAMINE THREATENED.

Charles McCarthy Will Soon Visit Seattle to Avert It.

Charles McCarthy of the Criterion saloon says there is danger of a beer famine in Honolulu, and to avert it is one of the reasons for Mr. McCarthy's proposed visit to Seattle, Wash. The local supply of beer is largely drawn from Seattle, and has heretofore been shipped via Victoria, in English ships. This can no longer be done, the United States law demanding that coastwise business must be done in American bottoms. Unless the brewers of Seattle can see another way out, their product must be shipped through San Francisco, which will probably make it too expensive. The supply of beer is now nearly exhausted, and Mr. McCarthy goes to make a new deal. He will sail on the Aorangi for Victoria on August 1, and expects to be gone for several weeks.

NEW COMER FILES A PROTEST.

FEELS AGGRIEVED OVER SELECTION OF GRAND JURY.

Narrates a Supposed Conversation Which Took Place in the High Sheriff's Office.

"After all this talk and clutter about American institutions—the Declaration of Independence, the Constitution of the United States, the flag of our country, Kincaid's oration and T. M. Cants Stewart's utterances, what do we find?"

The speaker is a prominent contractor in Honolulu. He came here in September, 1898.

"What do we find?" he repeated with much earnestness.

"We find," Sheriff Brown, Deputy Sheriff Chillingworth and Officer Hanrahan closeted in the police station, perusing the City Directory and selecting names for the grand and petit juries.

"That's my friend," says Hanrahan, pointing to a name in the directory. "He may be your friend, but blamed if he's mine," answers the Sheriff.

"What are you fellows quarreling about?" chips in Chillingworth.

"Nuthin'," replies the guileless Hanrahan, "but, you see, Chilly, old boy, there's no puttin' on the grand jury geese that ain't with us. See? Do you want newcomers to inspect our acts? Not much. If there's any inspection to do, let us do it ourselves. Eh, Art?"

"Right you are, Hanrahan," says his blabbering partner on the shoulder. "We can't afford to be inspected." "Can't afford to be inspected?" repeats Chillingworth. "What do you mean?"

REPUBLICAN HOSTS TO MARCH AND RATIFY.

Great Welcome Home to Hawaii's National Delegates.

HOT TIME IN THE OLD TOWN SURE.

FIRST REAL DEMONSTRATION OF THE PARTY UNDER THE NEW CONDITIONS.

Stunning Torchlight Parade to Precede the Ratification Meeting—Reception of the Rio Today.

The Hawaiian delegates to the Republican National Convention, which met in Philadelphia, are expected home on the steamer Rio to-day. They will be received with distinguished honors, and it will be a great day for the city and for the islands. There will be a tremendous outpouring of people; and the parade which is to take place this evening and the ratification meeting, which will be held in the drill shed subsequently thereto will probably be the largest ever seen here.

When the Rio is sighted extra whistles will be sounded, and it is possible the fire whistles may also be sounded to apprise the people that the vessel is in sight. The Reception Committee will go out in a tug, if one can be secured, to meet the ship and do the returning delegates honor. They will not be able to go aboard the Rio, under the new customs regulations, but will escort the vessel to the dock. There the band will be stationed, and there the crowds will congregate, such a gathering as only Honolulu can bring together.

After disembarking the delegates will step into a wagonette, handsomely decorated with flowers and palms, and be escorted to the Hawaiian Hotel, where a brief informal reception will be held. That ended, the delegates will rest until 5 o'clock, at which hour the Hawaiian band will give a concert in the Hawaiian Hotel grounds.

At 6:30 o'clock the evening parade will be formed on Beretania street, right resting on Miller street. The various divisions will form at the following points:

Waikiki side Miller street, right on Beretania—Company A, Young Men's Republican Club Drill Corps, Sam Johnson commanding.

Ewa side of Miller street, right on Beretania—Young Men's Republican League, Lorin Andrews commanding.

Mauka entrance Capitol building—Company B, Republican Club Drill Corps, Charles Wilcox commanding.

On Hotel street—Republicans not attached to any organization, and carriages.

Richard street, right resting on Beretania street—Bicycle corps, Veda Thrum and Henry Giles commanding.

The parade will move in the following order at the call of Marshal Hoogs and will start not later than 7 o'clock: Grand Marshal—W. H. Hoogs.

Chief of Staff—Colonel Curtis P. Lauke.

Aids—Tom Cummins, James Holt, Oscar White, William Holt, George Smithies, W. H. Wright, Fred J. Church, John Lane, C. F. Prescott, John Belser, James Thomson, William Crozier.

Red Fire Wagon. Grand Marshal. Platoon of Police. Band.

Delegates in Carriages. Company A, Young Men's Republican Drill Corps. Young Men's Republican Club. Company B, Young Men's Republican Drill Corps. Republicans Unattached to Any Organization. Carriages. Bicycle Corps. Red Fire Wagon.

The parade will move over the following route: Beretania to Emma, Emma to Vineyard, Vineyard to Fort, Fort to Hotel, Hotel to Smith, Smith to Nuuanu, Nuuanu to Merchant, Merchant to Hotel, Hotel to drill shed.

Besides the two red-fire wagons, one of which will head the parade and another close it, there will be a big bonfire in old Chinatown. Punctured will not be illuminated, as had been planned, Chief Hunt thinking the bonfire in Chinatown safer.

A feature of the parade will be two companies of the Young Men's Republican Drill Corps, which were recently organized for the campaign. They will do some maneuvering and marching evolutions, after the manner of marching clubs in the States.

In the division of Republicans unattached to any organization, it is expected that a large number of business men will appear, and the committee has decided upon George W. Smith as chief of this important section of the demonstration.

Five transparencies have been made under the direction of Will E. Fisher to be carried in the parade at intervals. These will bear portraits of McKinley and Roosevelt and be embellished with appropriate terse quotations from the Republican platform. The torches will be distributed just before the column begins to move.

meeting organized. Every preparation has been made to seat the crowd. George W. Smith, chairman of the Territorial Central Committee, will preside.

The following Republicans have been chosen vice-presidents, and they are requested to take seats on the stage: P. C. Jones, J. W. Jones, C. M. Cooke, C. W. Zeigler, J. B. Atherton, J. A. Gillman, Professor Hosmer, H. E. Cooper, J. A. McCandless, W. W. Hall, E. O. White, Andrew Brown, J. L. Kaula, M. Costa, Clarence M. White, R. K. Wallace, J. C. Clancy, William Mutch, S. M. Damon, Cecil Brown, T. F. Lansing, George D. Gear, Alex. Robertson, George Carter, M. K. Nakulua, M. A. Gonsalves, E. S. Boyd, J. L. Holt, S. M. Kanihama, J. W. Kaula, Isaac Sherwood, A. S. Mahaula, James McInerney, P. P. Zablan, James Davis, Paul Neumann, George Davis, George McCloud, J. A. Magoon, S. M. Ballou, J. D. McVeigh, J. A. Gonsalves, John Lane, George Smithies, John M. Kea, Peter Nalua, Gus Rose, Robert Parker, Henry Giles, Charles Crandall, A. M. Brown, J. W. Pratt, Stephen Mahaula, M. P. Robinson, Frank L. Hoogs, C. L. K. Hopkins, W. G. Smith, E. H. Naoho, James L. Aholo, E. S. Gill, J. Nakunua, C. H. Rose, T. B. Murray, F. J. Berry, W. A. Henshal, Vida Thrum, Henry Giles, Charles Crandall, A. M. Brown, E. S. Cunha, W. W. Goodale and George Waite.

The speakers will be: Governor S. B. Dole, Hon. Samuel Parker, Judge A. N. Kopekai and Charles B. Wilson, delegates; Hon. H. M. Sewall, Hawaiian representative on the National Republican Committee; Enoch Johnson, Colonel James H. Boyd and T. McCants Stewart.

Judge Estee will also be asked to participate in the speaking, should he come on the Rio.

Asked a Delay.

H. R. Souza, charged with forgery, appeared in the Police Court yesterday. His attorney, Gardner K. Wilder, asked for a continuance in order to allow the young man to hear from his father, who is in Hilo.

Return Match Shown.

Captain Parker and his team of rifle men will shoot a return match with the boys of Co. F. N. G. H., a week from Saturday.

COUNCIL MEETING WEDNESDAY

VINEYARD STREET TO BE EXTENDED TO LILIIHA.

Hilo Petitions For Military Company—Licenses Granted And Refused—Garbage Crematory.

All the members were present at the Council meeting yesterday, except Superintendent A. T. Atkinson of the department of education.

The question of extending and improving the most important streets and making them available to public use was quite fully discussed. It was suggested that Vineyard street be extended to Liliha street as soon as possible.

A petition from Hilo was read, signed by about 30 citizens, who asked to be allowed to form a military company at that place. It was intimated that the proposed company would likely expect aid from the government.

Treasurer Lansing read an application for a light wagon and beer license for the town of Kahului, which was granted.

A similar application was received from a man named Hoffman for a saloon at Kailua, but this was refused under the rule of a two mile limit.

The location of the new garbage crematory was discussed, but no formal action was taken, although it is understood that the location has been determined just makai of the new sewerage buildings on the beach.

Mr. Brown of the land department read his report upon the petition to quiet title to the land of E. S. Leslie. The opinion of the Attorney General on the same question was read by Governor Dole. These reports were practically to the same effect, recommending that one-fourth of the present value of the land be paid to the government for the patent applied for. Both reports were adopted as read.

Into New Quarters.

The office section or second floor of the new Magoon building—the brick at Merchant and Alakea streets—is filling up rapidly as did the first floor, where Col. Will E. Fisher smiles from the corner. These notable removals are this day announced:

J. Alfred Magoon, attorney, from Honolulu Hale, to Suites 1, 2, 3 and 4, Magoon building.

John H. Estate, Ltd., from Honolulu Hale to rooms upstairs in the Magoon building.

I. B. Burns, with his Provident Savings Life Assurance Co. agency, from Honolulu Hale to Room 4 in the Magoon building office section.

HANSEN WINS AT HILO

AGAINST BOB BURNS.

Hilo July 22:—(delayed in transmission)—Alex. Hansen of Honolulu, formerly Martin Denny's trainer, put Bob Burns of Hilo out in the eighth round at Spreckels' Hall Saturday last. The fight was somewhat slow up to the seventh round. Burns was on the aggressive most of the time but was not clever enough to reach his man. In the seventh round Hansen drew first blood. The eighth and final round was entirely in Hansen's favor, Burns being floored twice by heavy body blows and was counted out after the second drop. The prize was \$1,000.

LICENSE FAVORITISM BY THE POLICE FORCE.

Some Offenders Are Persecuted, Others Tolerated.

HANRAHAN SERIOUSLY ACCUSED.

DID HE PROMISE SALOONMAN OTTMAN IMMUNITY FOR SIX MONTHS?

Strange Story Told by a Waikiki Ginfazer Who Was Frozen Out of a License.

It is likely that there will be quite a lively time in the police court this morning, when the case of W. C. J. Ottman, of the Ocean View resort, Waikiki, comes up. Ottman is charged with selling liquor without a license, and he thinks he is made a victim of police persecution.

"I'll tell you why I think so," said Ottman to a Republican reporter yesterday. "About two weeks ago I was arrested for selling liquor without a license, the arrest being made by Chillingworth and Hanrahan. I was not guilty at that time any more than I am now, and I'll show that I'm innocent now."

"Then I was vilely abused in the Advertiser, just as I have been again this (yesterday) morning. That paper then headed its article 'Drinks Are Easy at Waikiki.' It was a tissue of falsehoods, but it was probably derived from the police. I went to see the editor and he apologized to me, and said he would correct the statements, but he never did. This (yesterday) morning the Advertiser had another article on me, in which there was but one true statement; that was that I had been arrested. I didn't say that I thought my United States revenue license protected me; I knew better. I didn't resist arrest. There were no sports at my place, therefore none could be dispersed. The facts are that a friend of mine came there with a lady and wanted lunch. I told him that my cook was in the hospital, sick, and that I was too ill to get lunch for him. I treated them to two bottles of beer, and when they left I gave them two bottles of gin. Then I was arrested."

"I have plenty of liquor in the house; everybody knows that. I had a saloon license out there but was frozen out. After I had license the Hawaiian Hotel Annex got a license, the Waikiki Inn got one, and they left Peacock & Co. for their hotel Moana. When I applied to have my license renewed I was refused, though I had a statement from Marshall Brown to the effect that I had kept a quiet and orderly place. In short, I was frozen out."

"When I was arrested two weeks ago," continues Mr. Ottman, "Hanrahan came to me and said I had better plead guilty, and that if I did so 'they,' meaning the police, would let things slide along for six months or so. They also agreed to warn me before a raid might be made, but I did not trust them then. They all show their way of doing business, and that is not disturbed by the police."

ALMOST READY FOR USE.

Novelty in the Passenger Coach Line Now Being Constructed.

The O. R. & L. Co. people are keeping up with the march of progress. For the first time since quarantine the passengers have met with a much improved service. The chair cars run on the regular Kahuku trains are being patronized very generously by people who prefer the comfort of an arm chair.

The management of the road has now under process of construction an observation car that will become very popular for passengers. It is of the same size as the regular passenger coach. At one end the car is made into a very large platform, while the rest is to be fitted as a drawing room, with a butler's pantry and toilet room. The open platform is large enough to accommodate ten or fifteen people and it is surrounded with an ornamental iron railing. A fine view of the country, through which the train passes is obtained. The interior of the car is very tasteful. It is furnished in oak and birds' eye maple. Electric push buttons will connect with the butler's pantry and whenever the car is used a car porter will be furnished to look out for the wants of the passengers. The new car will be ready for use in about a month.

J. A. Hughes, the superintending car-penter, of the road, feels very proud of the car, as it shows what may be done here in car building.

Liquor Cases.

The case of Donohoe, charged with selling liquor without a license, was put over until Monday.

The liquor case of Ottman will be tried in Judge Wilcox's court this morning.

Broke His Leg.

Bob Curdick, who tends bar at the Anchoi Saloon, broke his leg last night by his bicycle slipping on a curbside at the corner of King and Fort streets. He was taken to the Queen's Hospital in the patrol wagon.